

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARKO FLORES,	:	CIVIL ACTION NO. 1:11-CV-0118
	:	
Petitioner,	:	(Judge Conner)
	:	
v.	:	
	:	
UNITED STATES,	:	
	:	
Respondent	:	

ORDER

AND NOW, this 21st day of January, 2011, upon consideration of petitioner's motion under 28 U.S.C. § 2255, to vacate, set aside, or correct sentence (Doc. 1), and it appearing that petitioner was sentenced in the United States District Court for the Eastern District of New York on or about May 9, 2002, and it appearing that a prisoner seeking such relief "may move the court which imposed the sentence to vacate, set aside or correct the sentence," see 28 U.S.C. § 2255(a), and it further appearing that there is a "Motion for confirmation/clarification of sentencing intent" pending in the United States District Court for the Eastern District of New York, it is hereby ORDERED that:

1. The petition is DISMISSED without prejudice for lack of jurisdiction.
2. The dismissal is without prejudice to petitioner's right to file a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, upon disposition of the motion presently pending in the sentencing court.¹

¹The court makes no representation regarding the likelihood of success or the merits of any future petition.

3. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge